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REPORT OF THE SECRETARY-GENERAL CONCERNING THE SITUATION IN ABKHAZIA, GEORGIA

I. INTRODUCTION

1. By its resolution 1225 (1999) of 28 January 1999, the Security Council decided to extend the mandate of the United Nations Observer Mission in Georgia (UNOMIG) for a new period terminating on 31 July 1999, subject to a review by the Council of the mandate of UNOMIG in the event of any changes in the mandate or in the presence of the peacekeeping force of the Commonwealth of Independent States (CIS). The Council also requested that I continue to keep it regularly informed and that I report on the situation in Abkhazia, Georgia, three months after the date of the adoption of the resolution. This report is submitted in pursuance of that request and provides an update on the situation as at mid-April 1999.

II. POLITICAL ASPECTS

2. During the reporting period my Special Representative, Liviu Bota, together with representatives of the Russian Federation, in its capacity as facilitator, and of the group of Friends of the Secretary-General (France, Germany, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America), made a concerted effort to achieve an agreement on the return of refugees to the Gali district in its old boundaries and on measures for the economic rehabilitation of Abkhazia, Georgia.

3. At a meeting at Sukhumi on 12 January 1999, my Special Representative and the Abkhaz leader, Vladislav Ardzinba, discussed the terms of the return of refugees and displaced persons to the Gali district. As my Special Representative understood, they agreed orally on three contentious issues dividing the Georgian and Abkhaz sides, namely, the extent of participation by returnees in the local law enforcement organs of the Gali district; the role and deployment of the CIS peacekeeping force; and measures for the normalization of the customs and border regime at the Psou River, including the question of transportation. They further agreed that Mr. Ardzinba would make a formal statement outlining those agreements to the Ambassadors of the group of Friends of the Secretary-General, who would travel to Sukhumi for this purpose. However, during a meeting at Sukhumi on 23 January 1999 with my Special

Representative and representatives of the group of Friends, Mr. Ardzinba presented proposals different from those that were understood to have been agreed on with my Special Representative earlier in the month. In a joint statement issued on 27 January 1999, the Friends of the Secretary-General expressed disappointment that an opportunity to take the first important step forward in the negotiation process had been lost.

4. The seventh session of the Coordinating Council of the Georgian and Abkhaz sides, chaired by my Special Representative, was held at Tbilisi on 11 February 1999. The Georgian delegation was led by State Minister Vazha Lordkipanidze, and the Abkhaz delegation by the de facto Prime Minister, Sergei Bagapsh. Representatives of the Russian Federation as facilitator, led by Deputy Minister for Foreign Affairs Leonid Drachevskii, and the Organization for Cooperation and Security in Europe (OSCE), as well as the members of the group of the Friends of the Secretary-General, also participated.

5. The agenda of the Coordinating Council session included issues relating to the lasting non-resumption of hostilities and security problems, refugees and internally displaced persons, and economic and social problems. After its deliberations, the Council decided that a meeting of representatives of the two sides, UNOMIG and the CIS peacekeeping force would convene within two weeks, under the chairmanship of the Chief Military Observer of UNOMIG, to develop a mechanism for the Joint Investigation Group; that the two sides, jointly with UNOMIG and the CIS peacekeeping force, would elaborate and implement concrete measures for the non-resumption of hostilities, prevention of confrontation and separation of forces; that representatives of the force structures of the two sides would examine any information the two sides might have that could lead to a renewal of hostilities; that bilateral negotiations on a mechanism for the return of refugees and displaced persons to the Gali district in its old boundaries should continue; and that the respective commissions of the two sides would report to the Council at its next session concerning missing-in-action cases from 1992-1993 conflict. In addition, the Council session provided an opportunity for direct contacts and consultations between representatives of the two sides.

6. As part of confidence-building measures between the two sides, promoted by my Special Representative, a Georgian television crew travelled to Sukhumi and interviewed Mr. Ardzinba. The 50-minute interview was broadcast unedited on Georgian state television on 22 February. A similar interview with President Shevardnadze by Abkhaz journalists, to be shown on Abkhaz television, is being planned. Specific projects involving economic cooperation between the two sides also continued to develop, facilitated, in part, by the Executive Secretary of the Bilateral Joint Coordination Commission for Practical Questions, Zurab Lakerbaia.

7. Following the Coordinating Council's session, active mediation efforts on the return of refugees to the Gali district continued, involving, in addition to my Special Representative, high-ranking officials of the two sides and envoys of the Russian Federation. As a result of those activities, agreement in principle was reached on formulations for two of the three issues (see para. 3 above) that had continued to divide the two sides. The question of the role and deployment of the CIS peacekeeping force remains unresolved.

8. On 1 March, the Abkhaz side, through a Commission created for this purpose by Mr. Ardzinba, unilaterally began implementation of a refugee return programme to the Gali district, including registration of returnees. Because of its lack of guarantees for the safety and security of the returnees, this unilateral initiative elicited numerous reservations from the international community and from the Georgian side. It is also feared that, because it would be implemented in a security vacuum, the return programme could prove fertile ground for an escalation of tensions, possibly fuelled by disinformation, similar to the events of May 1998.

9. The CIS Council of Heads of State, during its meeting in Moscow on 2 April, adopted a decision on further measures to settle the conflict in Abkhazia, Georgia (see S/1999/392). The signatories agreed, inter alia, to try to hold consultations on ways in which other CIS States might participate, together with the Russian Federation, with military contingents or observers, or in some other form, in the CIS peacekeeping operation in Abkhazia, Georgia, without changing its strength of 3,000 troops. The Council also decided that, within one month, the sides should finalize and sign the draft agreement on peace and guarantees for the prevention of armed confrontation and the draft protocol on the return of refugees to the Gali district and measures for economic rehabilitation. Furthermore, the CIS Council decided to confirm the mandate of the CIS peacekeeping force until 2 April 1999, and to agree in principle with the proposal to extend the length of stay for six months, or until such time as one of the parties would request that it cease operations, to come into effect upon the signing by the sides of the two draft documents mentioned above. However, should the sides fail to reach agreement within the designated period of one month, the Council would reconsider the continued presence of the CIS peacekeeping force in the zone of conflict.

10. On 27 January, the Parliamentary Assembly of the Council of Europe recommended that Georgia should become the forty-first member of that body. One of the requirements attached to the recommendation was that the Government of Georgia should continue to pursue a peaceful settlement of the conflict in Abkhazia, Georgia. On 25 March, the Council of Ministers of the Council of Europe approved Georgia's membership and an official ceremony is to be held in Strasbourg on 27 April.

III. OPERATIONS OF THE UNITED NATIONS OBSERVER MISSION IN GEORGIA

11. Since I last reported to the Security Council on 20 January 1999 (see S/1999/60), there have been no changes in the operations of UNOMIG. While ensuring adequate security of the personnel, limited patrolling within the security and restricted weapon zones has continued. Despite the closure of the team bases and the curtailed scope of its operations, UNOMIG has been able to observe and verify satisfactorily the compliance by the sides with the Moscow Agreement on a Ceasefire and Separation of Forces of 14 May 1994 (see S/1994/583, annex I) and the Gagra Protocol of 25 May 1998 (see S/1998/497, para. 4). In pursuance of decisions taken by the Coordinating Council at its sixth and seventh sessions on the separation of forces along the ceasefire line, UNOMIG has facilitated meetings between local commanders and is monitoring progress on the ground.

12. The establishment of the Joint Investigation Group as a mechanism for investigating violations of the 1994 Moscow Agreement, in pursuance of a decision taken at the fifth session of the Coordinating Council in September 1998, is still under negotiation. UNOMIG legal experts have produced draft guidelines for the functioning of the Group, which were distributed to the sides and to the CIS peacekeeping force. A meeting of representatives of the two sides, UNOMIG and the CIS peacekeeping force under the chairmanship of the Chief Military Observer could not be convened as required by the decision of the Coordinating Council at its seventh session, as both sides requested more time to study the UNOMIG proposal. Meanwhile, UNOMIG continues to arrange and monitor, with the participation of representatives of both sides and the CIS peacekeeping force, ad hoc joint investigations of alleged violations of the Moscow Agreement and acts of terrorism. While this approach is possible for incidents that occur along the ceasefire line, the parties, particularly the Abkhaz side, do not permit joint investigations in other areas.

13. The road resurfacing and repair project continues and work on the M-27 trunk road between Ochamchira and the Gali Canal has commenced. Plans are under way to extend this project to the lower Gali area where, as a result of the greater mine threat, UNOMIG ground patrols remain suspended. Priority is being given to the road along the ceasefire line, to allow access for verification and monitoring in comparatively better security conditions. The stretches of the M-27 between the Gali Canal and the Inguri River that were repaired in the last quarter of 1998 have deteriorated because of winter rains and the poor quality of the repair work, and it is likely that additional repair work will be needed in the near future.

14. The deployment of 13 additional ballistic-protected vehicles (RG-32 Scouts) in February 1999 significantly enhanced the operational flexibility of UNOMIG patrols, especially in the lower Gali area. Twelve more of those vehicles have arrived in the Mission area in April, which will further enhance existing capabilities. The Chief Military Observer recommends that, owing to the nature of the mine threat in some areas of the security zone, the old fleet of 13 mine-protected vehicles should remain in operation until replacement vehicles that provide a similar level of protection can be deployed. Provisions have been made in the cost estimates for the period from 1 July 1999 to 30 June 2000 to replace the 13 mine-protected vehicles, which have reached the end of their serviceable life.

15. The helicopter assigned to UNOMIG in June 1998 has continued to provide invaluable security back-up and operational support. As noted in my two previous reports (S/1998/1012, para. 27 and S/1999/60, para. 17), the addition of a second helicopter is considered essential for enhancing the operational efficiency and security of UNOMIG. Provisions for the deployment of an additional helicopter to strengthen the air operations of UNOMIG were also made in the cost estimates for the period from 1 July 1999 to 30 June 2000.

IV. COOPERATION BETWEEN THE UNITED NATIONS OBSERVER MISSION IN GEORGIA AND THE COLLECTIVE PEACEKEEPING FORCE OF THE COMMONWEALTH OF INDEPENDENT STATES

16. The working relationship between UNOMIG and the CIS peacekeeping force has remained good and close liaison is being maintained at all levels. The CIS peacekeeping force has provided assistance in mine clearance and special escorts for UNOMIG patrols assigned to survey road infrastructure in the lower Gali region. Regular meetings are held for coordination of operations and sharing of information. UNOMIG relies on the CIS peacekeeping force for its security assistance in emergency situations and will continue to identify areas where procedures can be further streamlined.

17. The CIS peacekeeping force has continued to fulfil its mandate through static checkpoints and very limited mobile patrolling. It has participated increasingly in implementing the separation of forces along the ceasefire line and has taken part actively in the investigation of incidents of violence. During the reporting period, the targeting of the CIS peacekeeping force by armed groups has decreased.

V. SITUATION ON THE GROUND

A. General

18. While the general situation in the conflict zone remains tense and unstable, the situation along the ceasefire line has become relatively calm and incidents involving exchanges of fire have considerably diminished. However, activities by armed groups, particularly in the lower Gali area, have not ceased and the Abkhaz militia continues to be targeted. Criminal activities are on the increase and insecurity still prevails in the area. Violations of the Moscow Agreement of 1994, in the form of denial of access to patrols and deployment of prohibited weapons, continue despite protests by UNOMIG. As the weather improves, more and more displaced persons from the Gali district are returning to visit their houses and to take up temporary residence.

B. Security and restricted weapon zones

19. The Abkhaz unilateral initiative to facilitate the return of refugees and displaced persons to the Gali region was a focus of attention during the reporting period (see para. 8 above). It appears that the initiative has met with only a limited response among the displaced population, partly because of the lack of security guarantees and the absence of supporting infrastructure. In my last report (S/1999/60, para. 24), I noted that the potential returnees did not have confidence in the security conditions in the district. This assessment remains essentially unchanged. There has been no significant success in combating criminal acts despite efforts by Abkhaz authorities to redress the situation. A limited but increasing number of people are, however, regularly visiting their houses for short stays.

20. Another development during the reporting period was the lengthy blockade of the M-27 trunk road. On 16 February, a group of around 200 displaced persons established a camp on the Georgian side of the Inguri Bridge and prevented UNOMIG vehicles and personnel from crossing, while allowing other people to do so. The blockade lasted for 21 days, until 8 March 1999, creating serious logistics and operational problems for UNOMIG and adversely affecting its operations.

21. Irregular armed groups have remained active, particularly in the lower Gali area, and have mostly targeted the Abkhaz militia. The mine threat in the lower Gali area has also not receded and UNOMIG ground patrols in that area remain suspended as a result. During the reporting period, 11 Abkhaz militiamen and 7 civilians were killed in incidents in the Gali district. It is assessed that the continuing presence and activities of armed and criminal groups are the main factors contributing to instability and tension in the conflict zone, and there is a need for the authorities to make serious efforts to bring them to an end.

22. The situation along the line of separation of forces has improved substantially. Both sides have exercised greater restraint and there have been considerably fewer exchanges of fire across the ceasefire line. The separation of forces has also continued, although at a slower pace than would have been desirable. Despite an agreement at the 11 February session of the Coordinating Council, the defensive positions of the Georgian Interior Ministry troops in the area of Gan Mukhuri and Orsantia have not been pulled back. The Chief Military Observer considers the complete and simultaneous separation of forces all along the ceasefire line to be crucial for minimizing the risk that incidents might escalate.

23. UNOMIG continues to observe the presence of prohibited weapons in the security zone; however, the quantity and quality of these weapons do not give rise to grave concern. Although UNOMIG reports these observations to the parties and registers protests, the response of the parties remains inadequate.

24. The overall situation in the Zugdidi sector remained calm but unstable; heightened tension was noticeable during the blockade of the M-27 road.

C. Kodori Valley

25. Access to the upper Kodori Valley by road remains impossible because of the destroyed bridge on the road from Sukhumi and the closure of the mountain pass on the route from Zugdidi as a result of the winter weather. No progress has been made on having the authorities repair the bridge so as to enable ground patrols to access the entire valley. The helicopter was therefore used for patrolling in the Georgian-controlled upper part of the valley, while ground patrols were launched into the Abkhaz part. The situation in the area remains calm; however, the Abkhaz side has repeatedly accused the Georgian side of undertaking a military build-up in the Kodori Valley. Recently, the Georgian authorities for the first time refused clearance to a UNOMIG helicopter patrol to the area. This has caused concern and a protest has been lodged. UNOMIG plans to step up the frequency of its helicopter patrols to monitor the

situation more closely and it is expected that its freedom of movement will be respected. The team base at Ajara in the upper Kodori Valley remains closed.

VI. SECURITY ARRANGEMENTS

26. The security and safety of UNOMIG personnel continues to receive the highest priority and consideration. There has been no incident directed against UNOMIG personnel during the period under review. However, with the deteriorating economic situation in Abkhazia, Georgia, common criminality is on the rise. Cases of theft of UNOMIG property occurred, mostly in Sukhumi at premises guarded by Abkhaz authorities. This is an alarming trend and UNOMIG is pursuing better security arrangements. The relative calm along the ceasefire line and progress achieved in the separation of forces has reduced the risk that UNOMIG patrols might be caught in a crossfire.

27. The security arrangements outlined in my last report (S/1999/60, para. 30) remain in place at the UNOMIG headquarters and installations. The induction of lightly armed international civilian security officers and additional local watchmen has further augmented the existing internal security arrangements. With the improvement in the environment, the Chief Military Observer has been given discretion to progressively ease some of the less critical security restrictions currently in place.

28. UNOMIG continues to rely on the local administrative and law enforcement structures for the security and safety of its personnel and property. The parties have been keen to fulfil their obligations and have extended the necessary cooperation. Liaison is being maintained with them to further improve their response and to investigate fully incidents involving United Nations personnel and property. However, it remains a matter of serious concern that the investigation by the Abkhaz authorities of the bus incident of 21 September 1998 has still not been concluded.

29. The CIS peacekeeping force is aware of its responsibility for providing assistance for the security and protection of UNOMIG under the Moscow Agreement of 1994 and efforts to further streamline the modalities of this assistance will continue.

VII. HUMANITARIAN SITUATION AND HUMAN RIGHTS

30. The humanitarian situation in Abkhazia, Georgia, remains dire. Humanitarian assistance to many of the most vulnerable civilians continues through the ongoing programmes of the International Committee of the Red Cross (ICRC), Accion contra el Hambre, Médecins sans Frontières, France, and the United Methodists Committee on Relief.

31. Mine clearance activities, under the leadership of the HALO Trust, have also continued. In addition, the HALO Trust has received authorization to establish the Abkhazia Mine Action Centre. It is anticipated that the Centre will collect information about mines and unexploded ordnance, and that it will coordinate mine-clearance, minefield marking and mine awareness training

activities in Abkhazia. During the reporting period, ICRC launched a new mine awareness programme that will supplement the activities of the HALO Trust. The first such presentation was made in January to children in Sukhumi.

32. During the reporting period, the field staff of the Office of the United Nations High Commissioner for Refugees (UNHCR) have continued their protection monitoring activities in the parts of the Gali district where security conditions permit access. These activities included observing and assessing the movements of refugees and internally displaced persons across the line of separation of forces. Since 1 March, the starting date of the Abkhaz unilateral initiative for the return of refugees to the Gali district, several displaced persons have returned, primarily to Gali town and some areas in the upper part of the district. The beginning of the agricultural season is expected to bring more returnees to the lower Gali, in particular to those areas where the Abkhaz militia has limited presence.

33. In other parts of western Georgia, UNHCR, in cooperation with its implementing partners and the local authorities, has completed emergency shelter repairs and school rehabilitation projects. This timely assistance, together with parallel projects in the health, water and sanitation sectors, has helped to improve basic living conditions in communal centres for the majority of internally displaced persons, most of whom fled the Gali district during the events of May 1998.

34. The Office for the Coordination of Humanitarian Affairs continues to monitor the overall humanitarian situation in Abkhazia and in the rest of western Georgia. The Office continues to insist that humanitarian aid workers must enjoy complete freedom of movement. This, however, has yet to be achieved in the Gali district, particularly outside Gali town, where security conditions place aid workers at risk.

35. The new Head of the Human Rights Office in Abkhazia, Georgia, assumed her duties on 15 February 1999. The Office monitors the human rights situation by handling individual complaints and conducting regular weekly patrolling with the assistance of UNOMIG in the Gali region. The Office has started developing small projects in the field of human rights training and education for schools. The destabilization of the security conditions, especially in the Gali region, as well as the rising level of poverty among the population as a whole, are responsible for numerous cases of violations of basic human rights such as the right to life, the right to liberty and security of the individual and the right to property.

VIII. SOCIAL AND ECONOMIC ASPECTS

36. During the reporting period, the economic and social situation in Abkhazia continued to deteriorate. Mr. Ardzinba, during his annual address to the de facto parliament on 4 March, characterized the economic situation as extremely grave. Production continues to be extremely limited, and even the infrastructure undamaged by the war has seriously decayed. Most young people with talent and resources have left Abkhazia to find employment or educational opportunities elsewhere; among those staying, drug use and criminality are on

the rise. The latter have few prospects for finding employment and earning a salary.

37. The economic situation in Georgia continues to be negatively affected by turbulence in the international financial markets, particularly in the Russian Federation. The near-cessation of Georgia's exports to the Russian Federation, which represented almost 30 per cent of the country's total exports, had a negative impact on the performance of the national economy. Nevertheless, a 3 to 4 per cent growth of GDP was recorded during the past year.

IX. OBSERVATIONS

38. The failure to reach agreement in January on the terms for the return of refugees and displaced persons to the Gali district and measures for the economic rehabilitation of Abkhazia, Georgia, meant that a valuable opportunity was missed to take a major step forward in the peace process. As I noted in my last report (S/1990/60, para. 44), the return of refugees and displaced persons is a humanitarian priority, and their right to return home, in conditions of full security, is imprescriptible. The time for bargaining over formulations has long since passed. What is required is that each side demonstrate the necessary political will to conclude an agreement which would make it possible for the international community to participate in this effort. Pending such an agreement, direct bilateral contacts between the parties should continue, not only at the level of the Coordinating Council, but also in the spheres of economic projects and confidence-building measures.

39. Over the past three months, it has taken all the diligence of the military and political staff of UNOMIG to preserve, and indeed slightly improve upon, the lessening of tension in the Mission's area of responsibility which had resulted from the 21 December 1998 meeting in Gali (see S/1999/60, paras. 25 and 27). Again, no incident has been targeted at UNOMIG's staff. Because of the continuing mine threat and criminal and terrorist activities, however, the situation is not yet such that the operational restrictions imposed on the Mission in February 1998 can be lifted, or that some or all of the team bases can be reopened.

40. While UNOMIG is able, within the present operational constraints, to monitor satisfactorily the two sides' compliance with the Moscow Agreement of 1994, it can only in a very limited way by its presence in the area, contribute to conditions conducive to the safe and orderly return of refugees and displaced persons (resolution 937 (1994), para. 6 (i)). A further improvement of the security situation, based on tangible measures by the two sides, will be required before UNOMIG is able to return to its pre-February 1998 operational pattern and in this way increase its presence in all parts of its area of responsibility. Only then will UNOMIG be able to fully implement the mandate entrusted to it by the Security Council.

41. In addition to measures to stabilize the security environment, two specific actions by the parties would significantly help to improve the situation on the ground, namely, the full separation of forces from the ceasefire line and the establishment of a joint investigation mechanism. The withdrawal of forces from

some areas along the ceasefire line, including the sensitive Khurcha pocket, has reduced tensions noticeably. The parties need to follow up on this development with more determination so that all remaining positions are withdrawn and the separation of forces is completed, as agreed in the Gagra Protocol of May 1998. UNOMIG stands ready to lend its assistance to this end.

42. Further, final agreement on a mechanism for the joint investigation of violations of the Moscow Agreement and other incidents of violence will not only foster greater mutual confidence among the parties and greater respect for their mutual undertakings, but also discourage acts of violence and thus improve the general security environment.

43. Tensions associated with upcoming elections in Georgia and Abkhazia, Georgia, together with continuing economic difficulties, are creating an environment in which provocations along the line of separation of forces might easily lead to a more general destabilization. For this reason, it is essential that both sides exercise great restraint in their responses to any incidents arising on the ground. They should also take concrete steps to improve their cooperation in the security field.

44. I wish to thank once again my Special Representative, the Chief Military Observer and all the women and men of UNOMIG for their dedication and perseverance in carrying out, in difficult and at times dangerous conditions, the mandate given to them by the Security Council.

Annex

Composition of the United Nations Observer Mission in Georgia as at 1 April 1999

Country	Military observers
Albania	1
Austria	4
Bangladesh	8
Czech Republic	4
Denmark	5
Egypt	3
France	5
Germany	10
Greece	4
Hungary	5
Indonesia	4
Jordan	6
Pakistan	7
Poland	4
Republic of Korea	3
Russian Federation	3
Sweden	5
Switzerland	4
Turkey	5
United Kingdom of Great Britain and Northern Ireland	7
United States of America	2
Uruguay	3
Total	102

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